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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,583	06/23/2003	Michael Peter Germeraad		5505

7590 12/08/2006
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EXAMINER

OMOTOSHO, EMMANUEL

ART UNIT PAPER NUMBER

3714

DATE MAILED: 12/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/600,583	Applicant(s) GERMERAAD, MICHAEL PETER	
	Examiner Emmanuel Omotosho	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 November 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to the amendment filed on November 8 2005 in which applicant amends the drawings and claims 2,3, and responds to the claim rejections. Claims 1-8 are pending.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the following must be shown or the feature(s) canceled from the claim(s) :

- The different said "video display to computer game controller" connections
- The different said "video display to video display computer" connections
- The different said "video display to broadcast receiver" connections
- The different said "video display to pre-recorded content player" connections

No new matter should be entered. Each feature/element may include reference numbers next to it in order for the reader to properly differentiate between features/elements. For example, the video displays could be labeled 1a, 1b, etc. while the game controllers labeled 2a, 2b etc.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet,

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and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-5 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Suzuki (Re. 35,819).

5. Suzuki discloses a simulated horse race game that presents a race on a video display system, wherein each player has an individual monitor that is in communication with a game control system via hard wired or wireless communication. Suzuki discloses:

Regarding Claim 1:

- A multiple sided video display system (Figure 1) comprising, a mounting enclosure (2), containing two or more individual video display screens (5) oriented at angles so that one and only one individual display screen

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thereon can be seen by an individual positioned in front of the individual display screen, and so that the face and upper body of all individuals positioned in front of the individual display screens can see each other individual positioned in front of the individual display screens (Abstract, Figures 1, 4, and 6a-6c, and Column 1, line 33-Column 2, line 4).

Regarding Claim 2:

- Displaying video broadcast content, internet content, or pre-recorded content utilizing a multiple sided video display system (Abstract, Figures 1, 4, and 6a-6c, and Column 1, line 33-Column 2, line 4).

Regarding Claim 3:

- Displaying computer games utilizing a multiple sided video display system (Abstract, Figures 1, 4, and 6a-6c, and Column 1, line 33-Column 2, line 4).

Regarding Claim 4:

- The video display system is electronically or optically connected via wireless or wired connections to a computer game controller (Abstract, Figures 1, 4, and 6a-6c, and Column 1, line 33-Column 2, line 4).

Regarding Claim 5:

- The video display system is electronically or optically connected via a wireless or wired connections to a video display computer, broadcast receiver, or pre-recorded content player (Abstract, Figures 1, 4, and 6a-6c, and Column 1, line 33-Column 2, line 4).

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Regarding Claim 8:

- The number of video display devices is greater than four (Abstract, Figures 1, 4, and 6a-6c, and Column 1, line 33-Column 2, line 4).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (Re. 35,819).

8. Suzuki discloses that as discussed above with regards to claims 1-5 and 8.

Suzuki lacks explicitly disclosing having three video display devices as recited in claim 6 and having four video display devices as recited in claim 7. However, since Suzuki discloses a video game display device having more than four individual displays, it would have been a matter of design choice to design Suzuki's system with three or four individual video displays rather than the number of individual video displays shown in figure 1.

Response to Arguments

9. Applicant's arguments, see page 1, filed November 8, 2005, with respect to rejections to claims 1-8 under 35 U.S.C. 102 and 103, first and second paragraph have been fully considered and are not persuasive.

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10. Applicant argues, "Suzuki only describes a single video monitor and multiple player stations. My application requires that the video unit have multiple sides, each side with its own monitor and each screen capable of being viewed by one person."

However, in addition to the references stated above, in Column 3 lines 23-36, Suzuki discloses multiple sides video display, each with its own monitor (Fig 1), and each capable of being viewed by one person.

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel Omotosho whose telephone number is 5712723106. The examiner can normally be reached on m-f 8-430.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hotaling can be reached on (571)272-4437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EO

Ronald Deneau
PRIMARY EXAMINER
12/5/06